

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD  
ON WEDNESDAY, SEPTEMBER 8, 2021 AT 5:30 P.M. IN THE CITY COUNCIL  
CHAMBERS.**

**MAYOR:** Louie A. Trujillo

**COUNCILORS:** David G. Romero  
Elaine Rodriquez **ABSENT**  
Michael L. Montoya  
David A. Ulibarri, Jr.

**ALSO PRESENT:** Leo Maestas, City Manager  
Casandra Fresquez, City Clerk  
Scott Aaron, City Attorney  
Antonio Salazar, Sergeant at Arms

**CALL TO ORDER**

Mayor Trujillo called the meeting to order at 5:30 pm.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Trujillo took a moment to remember those who have passed away in our community, and asked for a moment of silence for Cathy Loera Lucero and Mary Dell Gutierrez. Mayor Trujillo also asked for a moment of silence for those sick with COVID, also to keep people safe and help people heal.

## **APPROVAL OF AGENDA**

Councilor Romero made a motion to approve the agenda as presented. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

## **PUBLIC INPUT**

Pat Leahan gave public input regarding the Charter Commission and concerns for the suggested amendments to the City Charter.

## **MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**

- Appointment of Pat Leahan to the Youth Commission.

Councilor Romero made a motion to approve the appointment of Pat Leahan to the Youth Commission. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes		

City Clerk Fresquez advised the motion carried.

A proclamation for Semilla Natural Foods was read by Mayor Trujillo.

Mayor Trujillo gave a brief update regarding his office hours on Saturdays, his recent training from the NM Municipal League, a leaders meeting with Ben Ray Lujan, and numerous calls regarding different concerns.

Mayor Trujillo thanked all Police Officers in attendance for their service.

Police Chief Salazar recognized and presented Police Officers Elia Fasanella and Dennis Lujan III with a medal of valor.

Mayor Trujillo welcomed and thanked the members from the Charter Commission.

### **COUNCILORS' REPORTS**

Councilor Romero spoke about looking into the safety plan, requested the street sweeper to clean areas on the westside of New Mexico Avenue and concerns with the fire lane by the Plaza area. Councilor Romero presented pictures regarding properties that he reported four months ago to code enforcement that have not yet been resolved.

Councilor Ulibarri Jr., advised he has had the same issues with properties that have not been resolved.

Councilor Montoya advised he has a lot of concerns with code enforcement, building permits and weeds in his ward being 3-4 ft tall and nothing is being done about it. Councilor Montoya spoke about his neighborhood walk and different concerns from citizens. Councilor Montoya advised he sees things out in the community that aren't getting resolved.

Councilor Romero advised he felt like issues or concerns he brings up are put on the backburner.

Councilor Montoya stated he's brought up concerns regarding cars parked on South Pacific that still have not been resolved. Councilor Montoya advised he also went to the NM Municipal League training and learned a lot about the cannabis ordinance and licensing. Councilor Montoya spoke about the process of redistricting.

### **CITY MANAGER'S REPORT**

City Manager Maestas discussed the following:

- Introduction of new hires in various departments.
- Six new businesses in Las Vegas.
- Implementation of two new administrative regulations.
- The installment of the roof at the Farmers Market was completed.
- Updates on the Bridge Street project.



- Code Enforcement progress.

Mayor Trujillo proposed a change to the ordinance regarding code enforcement's 15 day window and that it be changed to 5 days to comply.

Discussion and questions took place regarding the Las Vegas Funeral Home business, the Youth Commission bylaws, an MOU with the RTD bus, social media access to City pages when employees leave and code enforcement.

## **PRESENTATIONS**

Mr. Apodaca and Mr. Salazar with the Charter Commission gave a lengthy presentation regarding their seven recommended amendments to the City of Las Vegas Municipal Charter and wished time had been on their side.

A lengthy discussion took place regarding how council does follow the City Charter closely, the directive that was given to the Charter Commission in November 2020, a schedule Councilor Montoya created regarding deadlines for the amendments to be on the ballot for the March 1, 2022 election and questions regarding amendments for the removal of the four officers.

Councilor Romero advised they need to carefully consider how the amendments are worded when placed on the ballot.

Mr. Apodaca advised he spoke with a lot of citizens from every ward and got their input.

Councilor Romero advised it would have been more helpful if they had a joint session with the Governing Body and the Charter Commission.

Councilor Ulibarri Jr., thanked the Charter Commission for all they did but disagreed with the amendment to have four more council members.

Discussion took place regarding having a representative from an ETZ zone.

Mayor Trujillo thanked and gave his respect to each member of the Charter Commission for their time.

### **APPROVAL OF MINUTES**

Councilor Romero made a motion to approve the minutes for August 18, 2021. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	David G. Romero	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

### **BUSINESS ITEMS**

Conduct a Public Hearing for Business Item 1.

Community Development Director Bill Hendrickson advised it was a new ordinance that established permitting, inspections and fees that would be implemented for short term rentals and air b&bs.

Councilor Romero made a motion to enter into Public Hearing to discuss business item 1. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

City Attorney Scott Aaron swore in Community Development Director Bill Hendrickson.

Community Development Director Bill Hendrickson introduced the item on Short Term Residential Rentals and advised the ordinance establishes what is expected from someone who is renting out short term properties, with the Fire department having their own specifications and neighbors having a say so.

Councilor Romero made a motion to exit Public Hearing and return to regular session. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	David G. Romero	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

1. Adoption of Ordinance No. 21-15 “Short Term Residential Rentals.

Councilor Romero made a motion to approve the adoption of Ordinance No. 21-15 “Short Term Residential Rentals. Councilor Ulibarri Jr., seconded the motion.

Discussion and questions took place regarding when it would go into effect, making sure people are aware of the fees associated in the ordinance, that it’s publicised well and how it would be a good thing for Lodgers Tax.

Ordinance 21-15 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk’s Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes		

City Clerk Fresquez advised the motion carried.

2. Request approval of Resolution No. 21-39, the 2023-2027 Infrastructure Capital Improvement Plan (ICIP) for the City of Las Vegas.

Community Development Director Hendrickson discussed the approval of the listing of 1-65 projects needed by September 17th and thereafter, the Council can still add projects until the Legislative Session. Community Development Director Hendrickson advised there is a three step process, they approve the listing, departments will submit what their top projects may be and the Council would decide what top 10 projects would go to the Legislature in January.



Discussion took place regarding moving project 52 to be in the top 12, adding Commerce Street to be paved to the listing, how non-profit or other organizations projects get put on the ICIP and questions regarding some projects on the list.

City Manager Maestas explained the list of items that were purchased with Cares Act monies for the Police Department.

Councilor Montoya made a motion to approve Resolution No. 21-39 to include Parkview Street and Commerce Street to the 2023-2027 Infrastructure Capital Improvement Plan (ICIP) for the City of Las Vegas. Councilor Romero seconded the motion.

Resolution 21-39 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO  
Resolution No. 21-39

A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT

PLAN ( ICIP)

WHEREAS, the City of Las Vegas recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference and the Governing Body ( 1) adopts the attached FY 2023- 2027 Infrastructure Capital Improvement Plan; ( 2) intends that the Plan be a working document and is the first of many steps toward improving rational, long- range capital

planning and budgeting for infrastructure; and( 3) hereby rescinds Resolution 20- 37.

APPROVED AND ADOPTED this \_\_\_\_\_ day of September, 2021.

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Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

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Casandra Fresquez, City Clerk

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Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	David G. Romero	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

Councilor Romero asked to see where some projects could fit within the Asset Management Plan.

Community Development Director Hendrickson advised Utilities included about twenty new projects in the Asset Management Plan.

Discussion took place regarding all the roads being addressed in the Asset Management Plan.

3. Request approval of Encroachment Agreement between the City of Las Vegas and the Estate of Rosalia V. Crespin.

City Attorney Aaron advised the property encroaches a few feet on the alley and the City's right-of-way.

Discussion took place regarding the property and access for emergency vehicles.

Councilor Montoya made a motion to approve the Encroachment Agreement between the City of Las Vegas and the Estate of Rosalia V. Crespin. Councilor



Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Michael L. Montoya	Yes
David A. Ulibarri Jr.	Yes		

City Clerk Fresquez advised the motion carried.

4. Approval to award request for re-bids #2021-27 for Hanna Park Effluent Re-Bid to New Image Construction Inc. for \$683,068.00.

Discussion took place regarding how Hanna Park was chosen for effluent water and not other City Parks and South Pacific Park.

Utilities Director Gilvarry advised several City parks already had effluent water and South Pacific Park is on the long term effluent plan.

Discussion took place regarding Hanna Park being utilized by a lot of people, the need for proper drainage, why they had to go out for re-bid, if others can tie into the effluent water and the timeframe for the project to be completed.

Councilor Montoya made a motion to approve the request for re-bids #2021-27 for Hanna Park Effluent Re-Bid to New Image Construction Inc. for \$683,068.00. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

### **EXECUTIVE SESSION**

Councilor Romero made a motion to convene into executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978 and only those matters were discussed and no action was taken. Councilor Montoya seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

### **ADJOURN**

Councilor Romero made a motion to adjourn. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
David A. Ulibarri Jr.	Yes		

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:56 pm.



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Mayor Louie A. Trujillo

ATTEST:



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Casandra Fresquez, City Clerk